

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EMMANUEL N. DAVIES,)	
)	
)	
Plaintiff,)	
)	Case No. 12 C 4034
v.)	
)	Judge Joan B. Gottschall
E. KASPAR, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff's motion for appointment of counsel [78] is denied.

STATEMENT

This is the fifth time that Mr. Davies has requested that the court appoint him counsel in this matter. Mr. Davies first requested counsel when he filed his complaint on May 23, 2013. The court denied that motion, noting that the case did not appear particularly complicated, that this was the seventh case that Mr. Davies had filed in this court, and that Mr. Davies had proceeded pro se in at least two other matters. The court noted that if the complaint were to survive a motion to dismiss, it would reconsider whether to appoint counsel.

After defendants filed an answer to the complaint, Mr. Davies requested counsel a second time. The court granted that motion and appointed counsel on November 5, 2012. On January 21, 2013, that attorney withdrew as Mr. Davies' counsel, citing a substantial disagreement regarding litigation strategy and the proper scope of discovery.

Mr. Davies then requested counsel for a third time, and the court appointed a new attorney for Mr. Davies. On October 18, 2013, that attorney also withdrew, again citing a

substantial disagreement with Mr. Davies regarding litigation strategy.

Mr. Davies requested counsel a fourth time on October 30, 2013. The court denied that motion “[i]n light of the fact that Mr. Davies’ two previous court-appointed attorneys found that they were unable to work with him, and the fact that Mr. Davies has apparently not fully cooperated in discovery in this matter.”

Mr. Davies renewed his request for counsel on June 27, 2014. He argues that defendants are engaging in unnecessary motion practice and that he needs an attorney to respond to the motions. But the defendants have filed only two motions since Mr. Davies last moved for appointment of counsel. The first was a motion for entry of a “*Mack*” order to which Mr. Davies has already responded and which is currently under advisement. The second was a motion for extension of time to complete discovery, which the court granted. There are thus no pending motions with which counsel could assist Mr. Davies.

It remains true that Mr. Davies’s two previous court-appointed attorneys were unable to work with him and that this case does not appear so complex that the assistance of counsel is necessary. Accordingly, Mr. Davies’s motion for appointment of counsel is denied.

ENTER:

/s/
JOAN B. GOTTSCHALL
United States District Judge

DATED: July 1, 2014